

Applicant : Manfred Lenhart
Serial No. : 10/590,795
Page : 3

REMARKS

The Examiner requires election between two groups of claims, namely Group I consisting of Claims 38-59 drawn to a multi-cylinder thick materials pump, and Group II, namely Claims 60-74 drawn to a process for operating a thick materials pump on the basis that the only features common between Groups I and II are the known features in the prior art and, thus, cannot constitute a special technical feature.

Applicant respectfully traverses. Under 37 C.F.R. §1.475(b)(4), "a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to . . . (4) A process and an apparatus or means specifically designed for carrying out the said process" Applicant respectfully urges that the inventions have unity of the invention within the meaning of 37 C.F.R. §1.475(b)(4). For example, Applicant respectfully notes that Group I, among its several combinations, calls for an apparatus having a control unit to control the drives of the rotating sides and of the feeding pistons according to a predetermined time distance pattern in a cyclical manner (Claim 59). The controlling in a cyclic manner is also called for in process Claim 60 of Group II.

Thus, Applicant respectfully submits that the claims of Groups I and II are drawn to a process (Group II) and an apparatus (Group I) specifically designed for carrying out the process of Group II. Therefore, Applicant respectfully requests reconsideration of the restriction between Groups I and II.

An early and favorable action on the merits is respectfully solicited.

Applicant : Manfred Lenhart
Serial No. : 10/590,795
Page : 4

Should the Examiner have any questions or suggestions, he is invited to contact
the undersigned at (616) 975-5506 or at collins@vglb.com.

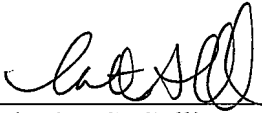
Respectfully submitted,

By: Van Dyke, Gardner, Linn & Burkhart, LLP

MANFRED LENHART

November 22, 2010.
Date

CSC:lmse



Catherine S. Collins
Registration No. 37 599
2851 Charlevoix Drive, S.E., Suite 207
P.O. Box 888695
Grand Rapids, MI 49588-8695
(616) 975-5500